the Congressional Budget and Impoundment Control Act of 1974, I submit the report of the conferees.

This report was filed in the House of Representatives on yesterday and is printed in the CONGRESSIONAL RECORD of June 11 at pages H4979–H5000.

Because of the significance of this act, which is one of the most important pieces of legislation to be considered during my 20 years service in the Senate, I ask unanimous consent that the conference report together with the statement of the managers be printed as a Senate report.

The PRESIDING OFFICER (Mr. TAFT). Without objection, it is so ordered.

## EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Otis L. Packwood, of Montana, to be U.S. attorney for the district of Montana;

Norwood Carlton Tilley, Jr., of North Carolina, to be U.S. attorney for the middle district of North Carolina;

Laurence C. Beard, of Oklahoma, to be U.S. marshal for the eastern district of Oklahoma;

Max E. Wilson, of North Carolina, to be U.S. marshal for the western district of North Carolina;

Keith S. Snyder, of North Carolina, to be U.S. attorney for the western district of North Carolina;

Gerald J. Gallinghouse, of Louisiana, to be U.S. attorney for the eastern district of Louisiana; and

Paul J. Henon, of Virginia, to be an Examiner in Chief, U.S. Patent Office.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. EASTLAND, from the Committee on the Judiciary:

Robert W. Porter, of Texas, to be U.S. district judge for the northern district of Texas;

H. Curtis Meanor, of New Jersey, to be U.S. district judge for the district of New Jersey;

Donald S. Voorhees, of Washington, to be U.S. district judge for the western district of Washington; and

Robert M. Duncan, of Ohio, to be U.S. district judge for the southern district of Ohio.

By Mr. SPARKMAN, from the Committee on Banking, Housing and Urban Affairs:

Robert R. Elliott, of Virginia, to be General Counsel of the Department of Housing and Urban Development.

(The above nomination was reported with the recommendation that the nomination be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. MAGNUSON. Mr. President, as in executive session, I report favorably sundry nominations in the U.S. Coast Guard which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they lie on the Secretary's desk for the information of Senators.

The PRESIDING OFFICER (Mr. BIDEN). Without objection, it is so ordered.

(The nominations ordered to lie on the Secretary's desk were printed at the end of the Senate proceedings in the RECORD of June 7, 1974).

## NOTE

In yesterday's RECORD, at page S10238, first column, Senator METCALF is shown as having submitted a report. This is in error. The report was filed June 3, 1974, and is Report No. 93–896.

On page S10237, under "Communications From Executive Departments, etc.," the following should appear:

THE CONSTITUTIONAL IMMUNITY OF MEMBERS OF CONGRESS

A letter from the chairman and vice chairman of the Joint Committee on Congressional Operations transmitting the report of the committee entitled "The Constitutional Immunity of Members of Congress" (with an accompanying report). Ordered to lie on the table.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. HUGH SCOTT (for himself and Mr. SCHWEIKER):

S. 3626. A bill to assure that an individual or family, whose income is increased by reason of a general increase in monthly social security benefits, will not, because of such general increase, suffer a loss of or reduction in the benefits the individual or family has been receiving under certain Federal or federally assisted programs. Referred to the Committee on Finance.

By Mr. COOK:

S. 3627. A bill to prohibit foreign assistance to India until India becomes a signatory to the Treaty on the Nonproliferation of Nuclear Weapons. Referred to the Committee on Foreign Relations.

By Mr. BELLMON (for himself and Mr. BARTLETT):

S. 3628. A bill to amend the Wild and Scenic Rivers Act of 1968 by designating the Illinois River at its tributaries as a potential component of the National Wild and Scenic Rivers System. Referred to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 3629. A bill for the relief of Ramon York Quijano;

S. 3630. A bill for the relief of Tarcisus York Quijano;

S. 3631. A bill for the relief of Paul York Quijano; and

S. 3632. A bill for the relief of Dennis York Quijano. Referred to the Committee on the Judiciary.

By Mr. ERVIN (for himself, Mr. GOLDWATER, Mr. KENNEDY, Mr. BAYH, and Mr. MATHIAS):

S. 3633. A bill to protect the constitutional right of privacy of individuals concerning whom identifiable information is recorded by enacting principles of information practices in furtherance of articles I, III, IV, IX, X, and XIV of amendment to the U.S. Constitution. Referred to the Committee on the Judiciary.

By Mr. DOMENICI:

S. 3634. A bill to amend the Public Works and Economic Development Act of 1965 for the purpose of assisting local economies in regions of persistent economic underdevelopment by enabling the Federal cochairmen of designated regional commissions to acquire Federal excess personal property and to dispose of such property to certain recipients. Referred to the Committee on Public Works.

By Mr. GRAVEL:

S. 3635. A bill to declare the commercial salmon fishery of the Bristol Bay area of Alaska to be undergoing a commercial fishery failure, to direct the Secretary of Commerce to take certain actions to restore such fishery, and to authorize additional funds for such purposes and for other United States fishery failures; and

S. 3636. A bill to compensate U.S. salmon fishing vessel owners and operators, salmon processors, and employees of such owners, operators and processors, for certain losses incurred as a result of salmon fishing by foreign fishing vessels under the terms of the International Convention for the High Seas Fisheries of the North Pacific Ocean. Referred to the Committee on Commerce.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HUGH SCOTT (for himself and Mr. SCHWEIKER):

S. 3626. A bill to assure that an individual or family, whose income is increased by reason of a general increase in monthly social security benefits, will not, because of such general increase, suffer a loss of or reduction in the benefits the individual or family has been receiving under certain Federal or federally assisted programs. Referred to the Committee on Finance.

Mr. HUGH SCOTT. Mr. President, on behalf of my colleague from Pennsylvania (Mr. SCHWEIKER), and myself, I am pleased today to introduce a bill to correct an inequity in our social security system. The purpose of this bill is to disregard social security in determining allowable income for those receiving benefits from any other Federal or federally assisted program such as supplemental security income—SSI—aid to families with dependent children—AFDC—and veterans. Since the 11-percent increase in social security benefits this year, many people in these groups have found their total benefits have been reduced. This clearly was not the purpose of the social security increase.

Several months ago, recognizing that veterans had been negatively affected by the social security increase, I joined in cosponsoring a bill introduced by the Senator from New Mexico (Mr. MONTOYA). This bill was designed to aid those veterans whose total pension was reduced because of the raise in social security. Since that time I have been contacted by many constituents giving personal testimony that they too, although not in the veterans groups, were facing the same problem.

One lady from Allentown, Pa., who has a blind son receiving a disability pension writes:

Recently, as you know, there was an increase in Social Security—my son received this increase, but his SSI check was reduced by the amount of his increase in Social Security.

Consequently, while Senator MONTOYA'S bill is a good one, my bill, I believe, is a better one because it recognizes a greater need. It does not focus solely on the veteran, but includes all

groups which have been treated unfairly by the social security increase.

My bill will provide that any individual or family whose income is increased because of subsequent increases in monthly social security benefits will not suffer a loss of or a reduction in the benefits due them under certain other Federal programs. Any individual who was receiving benefits for the month immediately preceding the first month the social security increase became effective will be entitled to any subsequent increase in those benefits and his total income will not be reduced as a result of that increase.

By my own rough estimates, this bill will aid more than 2.5 million people and benefits from other Federal programs. For example, of the total number of SSI recipients, 3.38 million as of May, 55 percent are also getting social security checks; of the 3 million AFDC families—1971 figures—4.4 percent of them are also receiving social security benefits; and approximately 1.5 million veterans, or 75 percent of the total number, also receive social security benefits. Each of these people have faced a reduction in their anticipated benefits. I am deeply concerned that so many Americans are suffering great hardships when social security increases should have meant relief.

Mr. President, I urge my colleagues to recognize this need and to act quickly on this vital measure, to end the intolerable burden upon millions of persons. I ask unanimous consent that the text of my bill be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3626

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a), in addition to any other requirement imposed as a criterion for determining eligibility to participate in or receive benefits provided by, or for determining the amount, type, or quantum of benefits to be provided under, any plan or program—

(1) which is designed to provide benefits to individuals or families who meet prescribed conditions,

(2) which establishes need (based on lack of or smallness of income or resources) as a criterion for determining eligibility of individuals or families to participate therein or receive the benefits provided thereunder, or for determining the amount, type, or quantum of benefits to be provided to individuals or families thereunder, and

(3) which is (A) a Federal plan or program, or (B) is a plan or program of a State (or political subdivision thereof) which is funded (wholly or in part) by Federal funds, there is hereby imposed the requirement that, in determining under such plan or program the income or resources of any individual who (or any family the members of which include any individual who), for the month immediately preceding the first month with respect to which a general social security benefits increase becomes effective, was—

(4) a recipient of benefits (or a member of a family which was a recipient of benefits) under such plan or program, and

(5) received (or had previously established entitlement to) a monthly insurance benefit under section 202, 223, or 228, of the Social Security Act,

there be disregarded any amount received by such individual—

(6) which is attributable solely to such general social security benefits increase, and

(7) for or with respect to any consecutive period of months (beginning with the first month with respect to which such general social security benefits increase became effective) with respect to each of which such individual is—

(A) a recipient of benefits (or a member of a family which is a recipient of benefits) under such plan or program, and

(B) entitled to such monthly insurance benefit. For purposes of paragraph (7)(A), an individual shall be deemed to be a recipient of benefits (or a member of a family which is a recipient of benefits) under such plan or program for any period after March 1974 with respect to which the requirement imposed by this subsection is not complied with if he would have been eligible to receive such benefits (or was a member of a family which would have been eligible to receive such benefits) had such requirement been complied with during such period.

(b) The requirement imposed by subsection (a) shall be applicable in the case of general social security benefit increases which become effective after March 1974, and shall be effective in determining eligibility to participate in or receive benefits under (and in determining the amount, type, or quantum of benefits under) a plan or program referred to in such subsection for periods after March 1974.

(c) The requirement imposed by subsection (a) with respect to any plan or program shall be deemed not to have been violated, in the case of any individual who immediately prior to the effective date of a general increase in the level of benefits provided under the plan or program (as determined in accordance with regulations of the Secretary of Health, Education, and Welfare) was entitled to have any amount of social security income disregarded because of such requirement, solely because the total amount of social security income was so required to be disregarded (in the case of such individual) immediately prior to such general increase is, on or after the effective date of such general increase, reduced (but not below zero) by an amount equal to the amount of such general increase.

(d) Notwithstanding any other provision of law, no Federal funds shall be paid to any State (or political subdivision thereof) with respect to any expenditures made under any plan or program (referred to in subsection (a)) for any period which commences on or after the first day of the first calendar month which begins more than 60 days after the date of enactment of this Act, unless, for such period, such plan or program is operated so as to comply with the requirement imposed by subsection (a).

SEC. 2. It shall be the duty of the Secretary of Health, Education, and Welfare to promulgate such rules and regulations as may be appropriate to assure the uniform implementation of the provisions of the first section of this Act; and such Secretary shall furnish appropriate information and data to and shall otherwise cooperate with and assist other Federal agencies with a view to assuring compliance with the provisions of such section.

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By Mr. COOK:

S. 3627. A bill to prohibit foreign assistance to India until India becomes a signatory to the Treaty on the Nonproliferation of Nuclear Weapons. Referred to the Committee on Foreign Relations.

Mr. COOK. Mr. President, India has recently become the world's sixth nuclear power. A country that once denounced nuclear ambition and admonished those participating in the development and testing of nuclear weapons is now a member of that group. Prime Minister Indira Gandhi maintains that India's motives are for purely peaceful purposes—mining, prospecting for oil and gas, the discovery of underground sources of water, and the diversion of rivers for scientific and technological knowledge. However, if this is indeed the case, why then has India refused thus far to sign the Nonproliferation Treaty of 1968?

As most of my colleagues are undoubtedly aware, that treaty provides for the supply of nuclear materials to both nuclear-weapon and non-nuclear-weapon states for peaceful purposes to all parties of the treaty at cost, when nuclear materials are safe, and an economic credit. In addition, the treaty further urges the cooperation of all states in the attainment of this objective.

Let me briefly describe the current deplorable situation which exists in India. The population of 580 million persons faces famine—with 80 percent of the Indian people malnourished—and that population is increasing dramatically each year by 13 million. Seventy-five percent of those 580 million are illiterate, 75 percent of India's university graduates are unemployed, and one-half of the population lives on 10 cents a day.

Given these facts, there can be no justification whatsoever for the expenditure of $173 million by the Indian Government on nuclear weapon development between 1968 and 1973, or for the $315 million which it intends to spend over the next 5 years. One-third of all Indians live below the poverty level of $30 per year. Housing is badly needed, yet the Indian Government allocated only $200 million for that purpose during the same period in which it spent $173 million for nuclear development. India's nuclear program will not provide more jobs, increase production, or solve the deficit balance-of-payments crisis which now confronts the Indian economy.

Even more important, the suspicion and fear that surrounds the Indian motives for the recent nuclear detonation could set off a wave of nuclear proliferation around the world if left unchecked.

Mr. President, I believe it is time for the United States, which between 1950 and 1971 contributed a record $10 billion in assistance to India, to cut off all economic assistance of any sort to that country until it becomes a signatory of the Nonproliferation Treaty. If not, we have no way of guaranteeing that the money we so eagerly hand out to the Indians each year will not be spent for further nuclear weapon development, rather than to deter the famine which appears imminent, or for other needed social and economic programs.

Accordingly I am today introducing legislation to accomplish that objective. Representative STANFORD PARRIS of Virginia, is introducing identical legislation today in the House of Representatives. Under the terms of the legislation, all military and economic assistance, all

is not clean enough for Arkansawyers to run through their water purification plant to use as domestic water?

The treated sewage water from Siloam Springs is now dumped into Lake Francis, a reservoir on the Illinois. The nutrient from the waste has about killed that lake and has caused some problems of algae and water clarity downstream in Oklahoma.

Among other things, secondary treatment doesn't remove from the waste water the nitrogen and phosphorus which are the same thing as fertilizer.

Some of this can be beneficial, but just a little too much can be devastating.

The first noticeable effect is more of a soupy green appearance of an algae bloom and it's not as appealing to swim in as clear water.

In early stages these nutrients provide more food for fish, but as the process grows it changes the capacity of the stream to carry dissolved oxygen.

This then changes the kind of fish that can live in the stream.

The Illinois River is classified as a smallmouth bass stream and smallmouth tops the list of desirable game fish in Oklahoma.

We have just a few rivers left where smallmouth bass can live because of their demand for a high level of oxygen in the water.

Oklahoma's minimum standard for smallmouth streams are six parts per million of dissolved oxygen, but if Arkansas has its way this standard will have to be lowered.

And we can, as they say, raise more fish, but for a fellow who has stalked the feisty smallmouth in clear tumbling waters it's hard to get excited about catching bullheads out of swamp water.

Not only is the quality of the Illinois River in jeopardy, but so is Lake Tenkiller.

The lake could become as dead as Lake Francis and for the same reason—too much nutrient from sewage.

But then it's not only Arkansas which wants to use the Illinois for partly treated sewage.

The Illinois River Conservation Council, a coalition of Oklahoma Conservationists made up of the Izaak Walton League, Scenic Rivers Association, The League of Women Voters, Oklahoma Wildlife Federation, Audubon Society, Sierra Club and others, has raised the alarm over the 3,000 proposed septic tanks to be used in the large Flint Ridge second home development that has started along the Illinois River.

U.S. Sen. Henry Bellmon has shown a sincere interest in the river and has requested the U.S. Bureau of Outdoor Recreation to study the Illinois River for protection under the federal Wild and Scenic Rivers Act.

I'll bet that if he heard from enough folks who are concerned about the Illinois he might also have a word with the U.S. Environmental Protection Agency, which has veto power over the Arkansas plan.

A copy of that letter, and if you feel strongly enough, a donation would be in order to the Illinois River Conservation Council. Such action will play a big part in saving the Illinois as one of Oklahoma's true scenic rivers.

Their addresses are: Illinois River Conservation Council, Mrs. Sherrill Nilson, Chairman, 4214 S. Wheeling, Tulsa, Okla., 74105; Sen. Henry Bellmon, 4203 New Senate Office Bldg., Washington, D.C., 20510.

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By Mr. ERVIN (for himself, Mr. GOLDWATER, Mr. KENNEDY, Mr. BAYH, and Mr. MATHIAS):

S. 3633. A bill to protect the constitutional right of privacy of individuals concerning whom identifiable information is recorded by enacting principles of information practices in furtherance of articles, I, III, IV, IX, X, and XIV of amendment to the U.S. Constitution. Referred to the Committee on the Judiciary.

GOVERNMENT DATA BANK RIGHT TO PRIVACY ACT

Mr. ERVIN. Mr. President, I introduce today on behalf of Senators GOLDWATER, KENNEDY, BAYH, and MATHIAS a bill entitled the "Government Data Bank Right to Privacy Act."

The Judiciary Committee for many years has been concerned with issues of privacy. Going back into the 1950's, both through the Administrative Practice and Procedure Subcommittee under the late Senator Long of Missouri and more recently under Senator KENNEDY, and through the Constitutional Rights Subcommittee, under by chairmanship, the Judiciary Committee members have had many opportunities to become expert in problems of privacy. The Constitutional Rights Subcommittee, especially, has worked on data bank privacy legislation, for years, and presently has before it among other privacy legislation, bipartisan bills to regulate criminal justice data systems. The sponsors of this new bill are, with the exception of Senator GOLDWATER, all memberss of the Judiciary Committee. Our sponsorship symbolizes the interest of the committee in this legislation, an interest I know is shared by other committee members who have sponsored similar proposals. For that reason I look forward to the joint cooperation between the Judiciary and Government Operations Committees in moving this legislation to the floor in this Congress.

This bill proposes to establish certain fundamental rights for all citizens who are the subjects of files and dossiers maintained by the Government. Among these rights are the right of review and correction, the right of notification, the right of correction and explanation, the right to challenge data banks, and to enforce privacy both through administrative and judicial processes. Among the other provisions of the bill is the requirement that data banks be disclosed to the public as they are established, that they only contain relevant, accurate, and necessary information, that they employ security and confidential devices and rules, that access be explicitly defined and controlled, that dissemination be strictly limited, and that a record be kept of all those examining the files.

Americans by now are fast becoming aware of the danger to their liberties from vast and proliferating data banks which are uncontrolled by law. Like any new invention, the technological and administrative developments of recent years in the field of data collection and use not only promise better conduct of the public's business, but also threaten unforeseen and tremendous dangers to individuality. A society numbered, punched, and filed by Government cannot be free. Clearly it is time to insure that only the good that is promised by these new Government data systems becomes reality, and that the harm feared never comes about.

Next week I hope to be able to release the results of a 4-year study of Federal data banks conducted by the Constitutional Rights Subcommittee. This study will document the need for many of the provisions of this proposal. It will give concrete evidence to support the warnings that many have issued over the past decade about the need for explicit legislative privacy protections. It is my hope that this data bank study will form the foundation of general privacy legislation that can be enacted this year.

Next week, as has already been publicly announced, an ad hoc privacy subcommittee of the Government Operations Committee and the Constitutional Rights Subcommittee of the Judiciary Committee will open hearings on data bank legislation. Before the subcommittee will be a bill, S. 3418, introduced by Senators MUSKIE, PERCY, and myself, and referred to Government Operations, and a bill by Senator BAYH, S. 2542, and a bill and substitute amendment, S. 2810, introduced by Senator GOLDWATER, referred to the Judiciary Committee. Each of these bills takes a similar approach to privacy, although they differ in detail and in scope.

The bill we introduce today follows the line generally expressed in these bills, and in those introduced in the House by Congressmen KOCH and GOLDWATER. Indeed, each of the Senate bills are variations of the model first prepared by those two gentlemen, and the debt that the Senate bills owe is apparent by a comparison of their texts.

This bill differs from S. 3418, the Ervin-Muskie-Percy bill, in a number of respects:

First, it proposes to apply the regulation to Federal systems, and those State governmental systems supported or funded by the Federal Government, or which are interstate in nature. It does not propose to cover private systems. This alternative is suggested not because there is no need to cover private systems, but because there is some sentiment that a more limited bill might be desirable at this stage. By so limiting its coverage, the sponsors of the bill do not suggest that they will not work for passage this year of comprehensive legislation such as in the other bills. They only wish to present the alternative for formal examination.

Second, the bill provides that it will not apply to any Federal or State data bank system which is subject to another statute affording at least the minimum protections set forth in the model. This is a desirable proposal. It encourages States and the Congress to enact specific legislation designed to meet the peculiar problems of particular data systems. To those who object to uniform model privacy legislation as being too comprehensive and too much an interference in State prerogatives, the answer is simple: "If you think you can protect privacy better than Congress, do so. Enact your laws. We encourage it."

Third, the bill addresses the difficult problem of how to administer privacy legislation. Clearly we cannot rely solely upon the courts. The requirements of the act are not all susceptible to civil suits on behalf of an ordinary citizen. Also, we cannot trust the government agencies to enforce the law against themselves. The data bank study shows how little they have done on their own.

Yet, to establish a Government-wide independent administering board has certain disadvantages. The cosponsors of this bill unite in recognizing the need for performing this function, but have an open mind on the structure to perform it. In the field of criminal data banks, it is rapidly being recognized that an independent board reflecting the many different interests is the best way to proceed. That may well be the result with this general legislation, also. But, again, to focus attention on another possible alternative, this bill suggests that the GAO perform the oversight and registry functions contemplated in the legislation. We offer this suggestion without commitment.

In addition to these major changes, the bill has been reorganized and a statement of findings and purpose has been added. A number of other technical changes have been made. In most other respects, however, it is a refinement of S. 3418.

Along with my other colleagues on this bill, I express the hope that the Judiciary and Government Operations Committees, working through the special expertise on privacy and Government administration reflected in the Constitutional Rights Subcommittee and ad hoc subcommittees, will produce a unified bill that will quickly secure approval in the weeks ahead.

Mr. KENNEDY. Mr. President, I am pleased to join the distinguished Senator from North Carolina and several other colleagues in sponsoring the Government Data Bank Right to Privacy Act. This bill will provide a framework for enacting necessary safeguards to protect American citizens against the compiling of inaccurate or unverified data and the unrestricted use and dissemination of this data.

The past several decades have seen an enormous growth in the volume of unregulated information about American citizens. When an American applies for insurance, purchases a home, seeks employment, applies for a professional license, or in thousands of other everyday situations, he will be evaluated in large part on the basis of information contained in computer data banks. This information is often incomplete, inaccurate, or based upon unverified or hearsay representations. Experience has shown that as the capacity to store and disseminate personal information has increased through the use of computers and other devices, information has been collected to fill this capacity.

The Subcommittee on Administrative Practice and Procedure, which I am privileged to chair, has a long history of involvement in issues concerning the right to privacy, including problems in the use of computer data banks. From 1965 to 1968, the subcommittee under its previous chairman considered legislation and held extended hearings on computer privacy and invasions of privacy by Federal agencies and the private sector.

In recent years, the subcommittee has developed legislation which has passed the Senate to permit greater citizen access to information in Government files, and has held extensive hearings on invasions of privacy through warrantless wiretapping and electronic surveillance. I introduced legislation which was passed last year to provide greater safeguards over the use of criminal data in programs funded by the Law Enforcement Assistance Administration. I recently testified as to the necessity for safeguards in the collection and use of medical information in data banks. And we have been concerned with protecting the rights of American citizens in the dissemination of data through the National Criminal Information Center.

I will work for the enactment into legislation of five basic principles to protect the right to privacy of American citizens. First, all persons who collect, store, use, or dessiminate information should be considered to have a duty of due care toward the subjects of that information.

Second, decisions to collect information should be made with a high regard for considerations of personal privacy and of relevance and need. The mere existence of capacity to store information should not justify its collection. In particular, first amendment considerations should play an important role, to insure that there is no "chilling effect" on the exercise of constitutionally protected expression arising from the collection of data.

Third, all systems that collect, store disseminate, or use data must maintain strict security over the information. There must be limitations on access to the data. The method of information storage should be designed to prevent unauthorized access or intrusion. Protective devices should be installed to safeguard the transmission of data to other users. Stringent standards akin to those required for airline safety should be applied to information safety.

Fourth, the subject of information should have the right of access to his own file to see that the information contained in it is accurate, and to challenge any inaccurate information. Experience has shown that frequently data is collected on the basis of incomplete, unverified, or mistaken representations. Of course, special rules can be developed to protect against violation of privileges or confidences and to protect the identity of informers. But the general principle that the subject of information should have access to it is important.

Fifth, data should be destroyed or expunged when its age or obsolescence suggests that its utility is outweighed by its inaccuracy or by its potential harm to the individual.

These principles are essential to guaranteeing the constitutional right to privacy of American citizens. They were most recently articulated by Prof. Arthur Miller of the Harvard Law School and were endorsed at the Annual Chief Justice Earl Warren Conference on Advocacy of the Roscoe Pound-American Trial Lawyers Foundation in Massachusetts last week. The bill of the distinguished Senator from North Carolina would go a long way toward enacting these principles into law.

During hearings on this bill, several important issues will have to be considered, and particular provisions of the bill may be improved upon. These issues include whether regulation should apply to both Government and private data collection systems; whether it should apply to both automated and manual systems; the precise nature of the requirement of relevance of data collected; and law enforcement considerations in expunging old data. I am glad to join in seeking to resolve these issues and to enact legislation to ensure that every American can fully exercise his constitutional right to privacy.

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By Mr. DOMENICI:

S. 3634. A bill to amend the Public Works and Economic Development Act of 1965 for the purpose of assisting local economies in regions of persistent economic underdevelopment by enabling the Federal cochairmen of designated regional commissions to acquire Federal excess personal property and to dispose of such property to certain recipients. Referred to the Committee on Public Works.

Mr. DOMENICI. Mr. President, I introduce today and submit for appropriate reference a bill which would provide assistance to the economic base of regions of persistent economic underdevelopment by allowing the Federal cochairmen of regional commissions to obtain excess Federal property and to utilize that property for purposes of economic development.

This bill would amend title V of the Public Works Act of 1965—42 U.S.C. and the following. It would add to that act a new section, section 514, creating a regional excess property program.

The Four Corners Regional Commission has had some experience with obtaining and utilizing excess Federal property for the purpose of accomplishing its objectives. I understand that program has been successful and popular.

In fact, during the 2-year period that the program was in operation in the Four Corners Regional Commission, those portions of New Mexico within that region received nearly $5 million worth of excess property. This amount was greater than the total New Mexico share of congressional appropriations for the Four Corners Regional Commission during that 2-year period. This level of assistance is indeed substantial and represents one of the easiest and least expensive means by which significant economic development can be achieved.

That program was phased out when it appeared a short time ago that EDA was being phased out and because there was some question as to the specific legal authority for the Federal cochairmen of the regional commissions to participate in such programs. My bill would eliminate that legal question by authorizing the Federal cochairmen of designated regional commissions to receive and make disposition of excess Federal property to appropriate entities within the region. The manner of use or disposal of any such property would have to be related to the purpose of the regional commission for the economic development within the region. The use and accounting for such property would be strictly controlled in accordance with provisions of the bill.